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OFFICE OF PETITIONS

In re Application of :
Chen, et al. : DECISION ON PETITION
Application No. 10/801,221 :
Filed: March 15, 2004 :
Atty. Dkt. No.: 010503C1 :

This decision is in response to the petition to withdraw the holding of abandonment under 37 CFR 1.181 filed August 2, 2006.

The petition under 37 CFR 1.181 is hereby GRANTED.

This application was held abandoned October 19, 2005 for failure to timely file a proper response to the non-final Office action mailed July 18, 2005. The non-final Office action set a three month shortened statutory period for reply. Notice of Abandonment was mailed March 9, 2006.

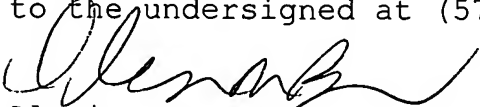
Petitioners argue that a response to the non-final Office action was timely submitted October 18, 2005 in accordance with the Certificate of Transmission procedures outlined at 37 CFR 1.8. Petitioners have included a copy of the response to the non-final Office action bearing a certificate of facsimile dated October 18, 2005 in accordance with 37 CFR 1.8.

The response submitted October 18, 2005 has been located in the official application file.

In view thereof, the Notice of Abandonment is hereby VACATED and the Notice of Abandonment is WITHDRAWN.

This application is being forwarded to Technology Center 2600 for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3205.


Alesia M. Brown
Petitions Attorney
Office of Petitions